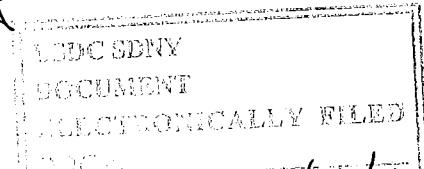


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 Copies Mailed/Faxed  
 Chambers of Vincent L. Briccetti



UNITED STATES DISTRICT COURT  
 SOUTHERN DISTRICT OF NEW YORK

-----x  
 LUIS A. VAZQUEZ-DIAZ, :  
 Petitioner, :  
 v. :  
 :  
 UNITED STATES OF AMERICA, :  
 Respondent. :  
 -----x

**ORDER**

21 CV 6757 (VB)

On October 29, 2021, plaintiff filed a motion requesting the Court to order unspecified “New York State facilities” to return “currency” he claims was “confiscated.” (Doc. #18). In an affidavit filed in support of his motion, plaintiff states that the confiscated money amounts to approximately \$3,000 and was “returned to petitioner by Judge Hellerstein in 2003; but never placed in petitioner inmate[’s] account at” the Metropolitan Correctional Center, New York. (Doc. #19).

Because the Court does not have the authority to grant the relief requested in plaintiff’s motion, the motion is DENIED.

The Clerk is instructed to terminate the motion. (Doc. #18).

The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this Order would not be taken in good faith, and therefore in forma pauperis status is denied for the purposes of an appeal. Cf. Coppedge v. United States, 369 U.S. 438, 444–45 (1962).

Chambers will mail a copy of this Order to plaintiff at the address on the docket.

Dated: November 3, 2021  
 White Plains, NY

SO ORDERED:



Vincent L. Briccetti  
 United States District Judge

Luis A. Vazquez-Diaz, 49651-084

Petitioner,      AFFIDAVIT IN SUPPORT OF MOTION FOR  
-- AGAINST --      REIMBURSEMENT OF MONEY  
United States Of America.      21-cv-6757 (LTS.)  
Respondent

I, Luis A. Vazquez-Diaz, duly sworn, depose, and say:

1. I make this affidavit in support of petitioner motion for reimbursement of money. And states as follows.
2. The confiscated money of \$3,000 dollars, or so, was returned to petitioner by Judge Hellerstein in 2003; but never place in petitioner inmate account at MCC/H.Y. Facility.
3. Petitioner has no money in his inmate account.
4. Petitioner is waiting for his money in order to buy (84) educational books.
5. Petitioner surge charge and idle pay from the state of New York facilities must be reimbursed immediately; state # 97-A-3359.
6. Petitioner ask that the relief herein sought be granted just and proper.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Dated: October 11, 2021

Respectfully submitted

Luis A. Vazquez-Diaz

C.C.

05/2 OCT 29 2021

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Luis A. Vazquez-Diaz 49651-054

Petitioner : MOTION FOR REIMBURSEMENT OF MONEY

--against--

21-cv-6757 (LTS.)

United States of America.

Respondent

Hereby Petitioner moves this Court asking said Court for the return of all currency confiscated, surge charge, and idle pay from the New York state facilities above-mentioned in Petitioner papers. An affidavit is attached.

Dated: October 11, 2021

Respectfully submitted  
Luis A. Vazquez-Diaz

C.C.

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